


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CARL BLESSING, ET AL Plaintiffs, v. SIRIUS XM RADIO, INC., Defendant.	09-CV-10035 (HB) MOTION FOR ADMISSION PRO HAC VICE "ECF CASE"	2011 SEP 14 PM 1:51 S.D. OF N.Y.
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Pursuant to Rule 1.3 of the Local Rules of the U.S. District Courts for the Southern and Eastern Districts of New York, I, Steve A. Miller, hereby move this Court for an Order for Admission to practice *pro hac vice* to appear as counsel for Class Member and Objector, Jeannine Miller. A copy Mrs. Miller's Objection and delivery receipt is attached hereto. Timely receipt of Mrs. Miller's Objection is acknowledged by Plaintiffs' counsel (Doc. 125-1, pg. 3, para. 32).

I am a member in Good Standing of the Bar of the State of Colorado and there are no disciplinary proceedings against me in any State or Federal Court. See attached Certificate of Good Standing issued on August 30, 2011 by the Colorado Supreme Court.

Respectfully submitted,



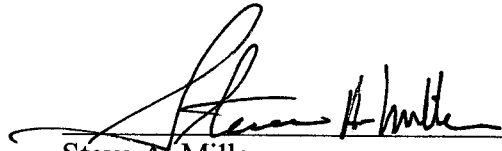
Steve A. Miller
Steve A. Miller, P.C.
1625 Larimer St., Suite 2905
Denver, CO 80202
Ph.: 303.892.9933
Fax: 303.892.8925
Email: sampc01@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served via first class U.S. Mail on the following counsel on September 12, 2011:

James J. Sabella, Esq.
Grant & Eisenhofer, PA
485 Lexington Ave.
New York, New York, 10017

Todd R. Geremia, Esq.
Jones Day
22 East 41st Street
New York, New York 10017



Steve A. Miller

**Proof of Delivery**[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number:	1ZE6830E0245315259
Service:	UPS 2nd Day Air®
Shipped/Billed On:	06/17/2011
Delivered On:	06/21/2011 10:46 A.M.
Delivered To:	NEW YORK, NY, US
Signed By:	GELARDI
Left At:	Mail Room

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 06/29/2011 2:51 P.M. ET

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**If You Subscribed to Sirius, XM, or Sirius XM Radio
You Could Get Benefits From a Class Action Settlement**

Read this message carefully. Records show you subscribed to Sirius XM Radio. We are sending this notice to tell you about the proposed Settlement of a class action that may affect your legal rights. There is a class action lawsuit against Sirius XM concerning the July 29, 2008 merger that created Sirius XM. The lawsuit claims this merger violated federal antitrust laws and that Sirius XM raised its prices as a result of the merger. Sirius XM denies it did anything wrong.

Who's Included? You are included in the Class if you were a Sirius, XM, or Sirius XM subscriber anytime from **July 29, 2008 to July 5, 2011** and you paid: (1) the U.S. Music Royalty Fee; or (2) a monthly multi-radio charge of \$8.99; or (3) a \$2.99 monthly Internet access charge if you previously did not pay to access Sirius XM's content over the Internet.

What Does the Settlement Provide? Under this proposed Settlement, Sirius XM has agreed it will not raise the price of its base subscription plan and certain other prices through the end of 2011. Additionally, subscribers with long term plans (excluding lifetime subscriptions) will be permitted to restart their plan at current rates before December 31, 2011. After approval of the Settlement, former subscribers will also be permitted to either (a) reconnect their satellite radio without paying a reactivation fee and receive one month of service at no cost; or (b) receive one month of Sirius XM Internet streaming service at no cost. The estimated value of the Settlement is \$180 million. The Settlement does not provide for cash payments to the Class.

How to Get Benefits? Current subscribers scheduled to renew before December 31, 2011 do not need to do anything. Current subscribers who are scheduled to renew after December 31, 2011 and who want to restart their long term plan at current rates as well as former subscribers who want to reconnect service or receive streaming service should go to www.siriusxm.com/blessingclassaction.

Your Rights May Be Affected. If you do not want to be legally bound by the Settlement, you must exclude yourself from it. The deadline to exclude yourself is **July 5, 2011**. If you do not exclude yourself, you will release all claims against Sirius XM concerning any conduct arising out of, based on, or relating to the merger that created Sirius XM. If you stay in the Settlement Class, you may object to it by **July 11, 2011**. The detailed notice, available at the website or by calling the toll-free number, tells you how to exclude yourself or object. The Court will hold a hearing on **August 8, 2011**, to consider whether to approve the Settlement and a request by Class Counsel for attorneys' fees and costs up to \$13 million, plus interest. You may appear at the hearing, but you don't have to. You may also hire your own attorney, at your own expense, to appear or speak for you at the hearing, but you don't have to.

For more information about the Settlement: www.SatelliteRadioSuit.com **1-800-760-6247**

June 20, 2011

Clerk of the United States
District Court for the Southern
District of New York
500 Pearl Street
New York, NY 10007-1312

James J. Sabella, Esq.
Grant & Eisenhofer, P.A.
485 Lexington Ave.
New York, NY 10017

RE: Objection to Settlement in Blessing v. Sirius XM Radio Inc.
Civil Action No. 09-CV-10035 HB

To Whom It May Concern:


I received a notice in the mail that I am in a class action settlement involving Sirius XM Radio. The Notice informs me that I can object to the settlement and list the reasons that I object to it.

After reading the Notice, I understand that the lawsuit was filed against Sirius XM Radio for raising its prices as a result of the merger of Sirius and XM Radio. The Notice also seems to place emphasis on the price increase occurring as a result of adding a U.S. Music Royalty Fee. I notice that a U.S. Music Royalty Fee was added to my annual bill beginning in 2010. I am a current subscriber and have paid this U.S. Music Royalty Fee for two years now. Consequently, my annual bill was increased as a result of this merger.

In reading further information regarding this lawsuit, I understand that I am included in a class of individuals that have claimed a violation of federal anti-trust laws, for which I am entitled to damages and treble damages. Instead, these claims are now being settled for nothing in exchange for Sirius XM Radio's promise not to increase its already increased fees, which I have paid for two years. For this result that only favors Sirius XM Radio, my class lawyers have sold me out for a \$13,000,000 fee that, curiously, is being paid directly to them by the culprit in this matter, Sirius XM Radio.

I object to the dismissal of the class claims for nothing. I object to the class attorneys being paid \$13,000,000 by Sirius XM Radio for selling out the class claims for nothing. A fairer solution would have been to settle the class claims for \$13,000,000, which Sirius XM Radio apparently has readily available for settlement, and class counsel be awarded 25% of the \$13,000,000 for their fee. Isn't that the way normal litigation is handled: the attorneys representing me and others like me actually get us a recovery and take their fee as a percentage of the recovery achieved?

Sincerely,

A handwritten signature in cursive script that reads "Jeannine Miller".

Jeannine Miller
P.O. Box 67
Torrington, WY 82240
Ph. 307-534-6970

PRINT EXPRESS130 East 21st Avenue • Torrington, WY 82240
UPS Customer Counter Shipping RecordDATE 6/17/11**FROM**NAME Jeanine Miller
PHONE ~~307~~ 307-534-6970**SHIP TO:**COMPANY NAME Clerk of the U.S.PERSON'S NAME District CourtSTREET ADDRESS for Southern District500 Pearl Street New YorkCITY New York STATE NY ZIP 10007CONTENTS Documents 1312

DECLARED VALUE _____

TRACKING NO. 1ZE6830E0245315259☐ RESIDENTIAL ADDRESS ☒ COMMERCIAL ADDRESS

OFFICE USE ONLY

Weight

Shipping Cost

Packaging Fee

Tax

TOTAL

2

COMPANY NAME _____

PERSON'S NAME _____

STREET ADDRESS _____

CITY _____ STATE _____ ZIP _____

CONTENTS _____

DECLARED VALUE _____

TRACKING NO. 1ZE6830E☐ RESIDENTIAL ADDRESS ☐ COMMERCIAL ADDRESS

OFFICE USE ONLY

Weight

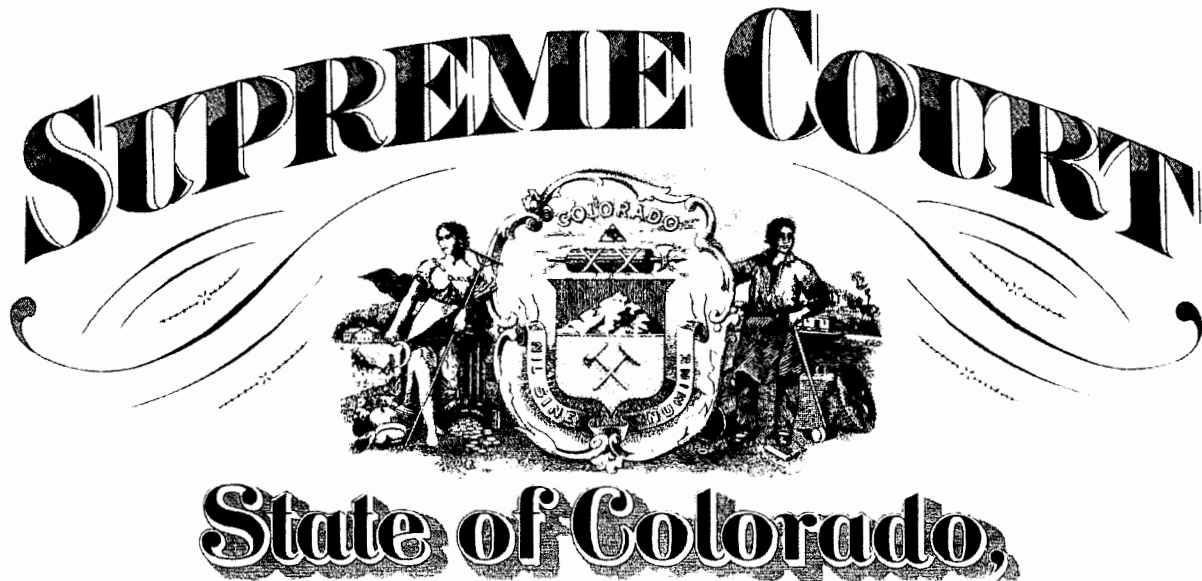
Shipping Cost

Packaging Fee

Tax

TOTAL

PRINT EXPRESS IS NOT RESPONSIBLE FOR: IMPROPER PACKAGING, PERISHABLES, ANTIQUES, GLASSWARE, WORKS OF ART, ETC. **SHIP AT YOUR OWN RISK - CLAIMS MAY BE DENIED. ALL CLAIMS WILL REQUIRE YOU TO PROVIDE PROOF OF DECLARED VALUE.**



STATE OF COLORADO, ss:

I, Christopher T. Ryan Clerk of the Supreme Court of the State of Colorado, do hereby certify that

STEVE A MILLER

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys and Counselors at Law in my office of date the 22nd

day of May A. D. 1978 and that at the date hereof

the said STEVE A MILLER

is in good standing at this Bar.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

30th day of August A. D. 2011

Christopher T. Ryan

Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CARL BLESSING, ET AL Plaintiffs, v. SIRIUS XM RADIO, INC., Defendant.	09-CV-10035 (HB) ORDER FOR ADMISSION PRO HAC VICE "ECF CASE"
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The Motion of Steve A. Miller for admission to practice *pro hac vice* in the above captioned action is granted.

Applicant has declared that he is a member of good standing of the Bar of the State of Colorado and his contact information is as follows:

Steve A. Miller, P.C.
1625 Larimer St., Suite 2905
Denver, CO 80202
Ph.: 303.892.9933 - Fax: 303.892.8925
Email: sampc01@gmail.com

Applicant having requested admission *pro hac vice* to appear for all purposes as counsel for Jeannine Miller in the above entitled action;

IT IS HEREBY ORDERED that applicant is admitted to practice *pro hac vice* in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing the discipline of attorneys. If this action is assigned to the ECF system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov.

Dated: _____

United States District Judge